



Entered on Docket
December 21, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Affects:

- ☐ All Debtors
☒ Affects the following Debtor(s):
Rhodes Design and Development
Corporation 09-14686

Hearing Date: December 17, 2010
Hearing Time: 9:30 a.m.
Courtroom 1

**ORDER SUSTAINING DEBTORS' OBJECTION TO CHAD & TANIA
KEISER'S CLAIM PURSUANT TO SECTION 502(b) OF THE
BANKRUPTCY CODE AND BANKRUPTCY RULES 3003 AND 3007
[KEISER CLAIM] [DOCKET NO. 1310]**

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of the *Debtors' Objection to Chad & Tania Keiser's Claim Pursuant*
 2 *to Section 502(b) of the Bankruptcy Code and Bankruptcy Rules 3003 and 3007 [Keiser Claim]*
 3 [Docket No. 1310] (the "Objection"),² filed by the above-captioned reorganized debtors
 4 (collectively, the "Debtors"), requesting that the Court enter an order disallowing and expunging
 5 in full the Keiser Claim; and the Court having jurisdiction to consider the Objection and the
 6 relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested therein
 7 being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this
 8 Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Objection; the
 9 Court hereby finds and determines that, pursuant to Rule 3007 of the Federal Rules of
 10 Bankruptcy Procedure, due and proper notice has been provided to the holder of the Claim
 11 attached as Exhibit A to the Objection and all other parties entitled to notice; and no other or
 12 further notice is necessary; and the relief requested in the Objection is in the best interests of the
 13 Debtors, their estates and creditors; and that the legal and factual bases set forth in the Objection
 14 establishes just cause for the relief requested therein; therefore

15 IT IS HEREBY ORDERED THAT:

16 1. Claim No. 19, filed by Chad & Tania Keiser in an unliquidated amount in Case
 17 No. 09-14846 against Rhodes Design and Development Corporation, is hereby disallowed and
 18 expunged in full.
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28 ² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Second Omnibus Objection.

2. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Submitted by:

DATED this 17h day of December, 2010.

By: /s/ Zachariah Larson

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LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing:

Unrepresented parties appearing: None

Trustee: No Appearance at Hearing; No additional Service required.

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

Submitted by:

DATED this 17th day of December, 2010.

By: /s/ Zachariah Larson

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